



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशामन द्वारा प्रकाशित

खंड II]

शिमला, शनिवार, 20 मार्च, 1954

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सूचना

तारीख 20 मार्च, 1954 ई० को समाप्त होने वाले सप्ताह में निम्नलिखित “असाधारण राजपत्र, हिमाचल प्रदेश” प्रकाशित हुआ :—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
1. No. HP/TPT/200-A/54	Transport Department	Appointment of a Committee by the Lt.-Governor to advise the Govt. about the adoption of ways and means to run its transport on profitable lines.
2. No. Ft-45-133/52	Forest Department	Announcement of the unhappy demise of the late I.N. Sewal, Chief Conservator of Forests.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिश्नरज कोर्ट द्वारा अधिसूचनाएं इत्यादि ।

HIMACHAL PRADESH GOVERNMENT
Establishment Branch

Memorandum

Simla-4, the 9th March, 1954

No. A-88-2/50.—Addendum to this Secretariat
Memorandum of even number, dated the 3rd May,

1951. Please add “or Buttoned Up Coat”
after the word “Chapkan” appearing in Annex-
ure ‘A’ of the Livery Rules.

R. S. BHANDARI,
for Chief Secretary.

NOTIFICATIONS

Simla-4, the 12th March, 1954

No. A-8-16/53.—Shri Sant Ram, P.F.S. (I), Conservator of Forests, Simla Circle, Himachal Pradesh, is appointed Chief Conservator of Forests, Himachal Pradesh Government in

addition to his own duties, with effect from forenoon of the 27th January, 1954, *vice* Shri I. N. Sewal, Chief Conservator of Forests, Himachal Pradesh Government, proceeded on earned leave with effect from the same date, until further orders.

Simla-4, the 15th March, 1954

No. A-83-53/49-B-II.—In exercise of powers conferred on him by Rules 44 and 54 of the Civil Services (Classification, Control and Appeal) Rules, Lieut.-Governor, Himachal Pradesh, is pleased to make the addition of the schedule reproduced below in respect of National Extension Service Development Blocks to the schedules already attached to the rules notified under Himachal Pradesh Government Notification No. A-83-53/49-B, dated 28th February, 1951, regarding making of first appointments to Class III & IV Services and posts under his administrative control and for the discipline and rights of appeal of members of these services and holders of these posts :

Title of service or post	Authority empowered to appoint	SCHEDULE		Appellate authority
		Authority empowered to impose penal- ties and the penalty which he may impose		
		Authority	Penalties	
			1. Censure 2. Withholding of increment 3. Reduction to lower post 4. Recovery of loss to Government 5. Suspension 6. Removal from ser- vice etc. 7. Dismissal	
1	2	3	4	5
I. Community Development Project/Pilot Development Project/Extension Training Centre—				
II ministerial & non- ministerial Class III posts with basic pay exceeding Rs. 80 p.m.	Lieut.-Governor	Lieut.-Governor Development Commr. Deputy Commissioner	All 1 to 5 5	Lieut.-Governor In case of personnel on permanent cadre of the various De- partments. Nos. 3, 6 & 7 only in consultation with and concurrence of the Heads of Deptts., of the Deptts. to which they belong.
All ministerial & non- ministerial Class III posts with basic pay exceeding Rs. 50 but not exceeding Rs. 80 p.m.	Development Com- missioner	Development Commr. Deputy Commissioner	All 5	
All ministerial & non- ministerial Class III posts with basic pay not exceeding Rs. 50 p.m. and all class IV posts.	Project Executive Officer & Asstt. Pro- ject Officers, Project Officer & Principal, Extension Training Centre	Project Executive Officer & Asstt., Pro- ject Officer. Development Commr. Deputy Commissioner	1 to 5 All 5	
II. National Extension Service Block—				
Class III	Director of Agr., Animal Husbandry Officer. Registrar Co-opera- tive Societies Deputy Commissioner Development Commr.	Director of Agricul- ture.	All	Lieutenant Governor
N.E.S. Agr. Asstt.,		Animal Husbandry	All	do
N.E.S. Vety. Asstt.,		Officer.	All	do
N.E.S. Inspector Co- operative & Pancha- yats.		Registrar Co-opera- tive Societies	All	do
			1, 4 & 5	do
			1 to 5 & 6-7 only in consultation with & in concur- rence of Head of Deptt. of the Deptt. concerned	do

1	2	3	4	5
N.E.S. Overseer)	Lieut.-Governor for	Lieut.-Governor	All	Lieut.-Governor
N.E.S. Gram Sewaks)	posts with basic pay	Development Commr.	1 to 5	do
N.E.S. Accountant)	more than Rs. 80	Deputy Commr.	1,2,4 & 5	do
N.E.S. Stenographer)				
N.E.S. Clerk)				
N.E.S. Jeep Driver)	Dev. Commissioner	Development Commr.	All	do
	for posts with basic			
	pay exceeding Rs. 50	Deputy Commr.	1 to 5	Development Commr.
	but not exceeding			
	Rs. 80 p.m.			
	Deputy Commr., for)	Deputy Commr.	All	do
	posts with basic pay)			
	not exceeding)			
N.E.S. Class IV staff)	Deputy Commr.	Deputy Commr.	All	
Class III & IV staff)	Authorities as noti-	Chairman, District,	No. 5, but has to	As notified for the
of all departments)	fied for different cata-	Planning and Develop-	inform the Head	different categories
employed on Five)	gories of staff of the	ment Committee of a	of Deptt., concern-	of staff of the De-
Year Development)	Deptts., to which	district i.e. Deputy	ed for drawing	partment concerned
or other development)	they may belong.	Commissioner	up proper proceed-	
work in a District)			ings and taking	
			action	

By order,
MANGAT RAI,
Chief Secretary.

Home, Gazette and Transport Department

Simla-4, the 24th February 1954

NOTIFICATIONS

Simla-4, the 20th February, 1954

No. HGT-4-41/49-III.—The Lieutenant Governor, Himachal Pradesh, is pleased to invest Shri C. L. Kapila, a Magistrate of the 1st Class in Sirmur District, with powers under Section 30 of the Code of Criminal Procedure, 1898, to try as a Magistrate all offences not punishable with death, with immediate effect.

Simla-4, the 20th February, 1954

No. HGT-4-41/49-III.—In exercise of the powers conferred by Section 10 (1) of the Criminal Procedure Code, 1898, the Lieutenant Governor, Himachal Pradesh, is pleased to appoint Shri C. L. Kapila, Magistrate of the 1st Class, Sirmur District, to be the District Magistrate of the said District, with immediate effect.

Simla-4, the 20th February, 1954

No. HGT-4-41/49-III.—The Lieutenant Governor, Himachal Pradesh, is pleased to invest Shri C. L. Kapila, a Magistrate of the 1st Class, with powers to try summarily in the Sirmur District, the offences specified in Section 260 of the Code of Criminal Procedure, 1898, with immediate effect.

Simla-4, the 20th February, 1954

No. HGT-4-41/49-III.—Under the provision of Section 12 of the Code of Criminal Procedure, 1898, the Lieutenant Governor, Himachal Pradesh, is pleased to appoint Shri C. L. Kapila, as a Magistrate 1st Class, in the Sirmur District with immediate effect.

No. HGT-4-41/49-III.—The Lieutenant Governor, Himachal Pradesh, is pleased to invest Shri V. R. Antani, a Magistrate of the 1st Class in Mandi District, with powers under Section 30 of the Code of Criminal Procedure, 1898, to try as a Magistrate all offences not punishable with death with effect from the date of this notification.

Simla-4, the 24th February, 1954

No. HGT-4-41/49-III.—In exercise of the powers conferred by Section 10 (1) of the Criminal Procedure Code, 1898, the Lieutenant Governor, Himachal Pradesh, is pleased to appoint Shri V. R. Antani, Magistrate of the 1st Class, Mandi District, to be the District Magistrate of the said District, with effect from the date of this Notification.

Simla-4, the 24th February, 1954

No. HGT-4-41/49-III.—The Lieutenant Governor, Himachal Pradesh, is pleased to invest Shri V. R. Antani, a Magistrate of the 1st Class, with powers to try summarily in the Mandi District the offences specified in Section 260 of the Code of Criminal Procedure, 1898, with effect from the date of this Notification.

By order,
SHIV SINGH, P. C. S.,
Assistant Secretary.

Co-operative & Panchayat Department

NOTIFICATION

Simla-4, the 17th March, 1954

No. CS-92-49/53.—In exercise of the powers conferred upon him under section 135 of the Himachal Pradesh Panchayat Raj Act, 1953, the Lieutenant Governor, Himachal Pradesh, is hereby pleased to make the following amendments in the rules made under the Himachal Pradesh Panchayat Raj Act, 1953, and published in the Gazette of India. Part III, Section (3), on the 12th September, 1953.

Instead of rules from 30 to 50 substitute the following rules:

30. Contested Elections.—In cases other than those covered by rule 29, votes shall be taken by show of hands for filling the vacancies.

31. Fixation of dates for holding elections.—The Returning Officer shall appoint dates on which he shall take the votes in constituency or headquarter of the Sabha area, as the case may be, giving the date, time and place for holding such election.

32. Announcement of dates.—The date, time and place for holding elections mentioned in rule 31 above, shall be announced by beat of drums.

33. Deleted.

34. Demarcation of polling stations.—The Returning Officer shall also declare polling stations and demarcate the area of the polling stations to which restrictions provided in the election rules shall apply.

35. Candidates and agents not to communicate with the voters.—(1) The candidates or their agents shall not speak to or address any voter in the polling station but may address to the presiding officer objection to a voter on any of the following grounds, namely—

- (i) that the voter's name does not appear in the register of members as entitled to vote in the constituencies in respect of which the election is being held;
- (ii) that his claim to be a certain voter whose name is entered in the register of members is false;
- (iii) that he has already voted at the election.

(2) Any person contravening the provisions of sub-rule (1) of this rule may be expelled from the polling station by the Presiding Officer, and a person so expelled shall not be admitted during the election.

36. Voters to attend the polling station.—(a) Every voter desirous of recording the vote shall attend for the purpose, at the polling station for the constituency for which he is entered in the register of members, on such date and at such time as may be appointed by the Returning Officer in this behalf.

(b) It shall be the duty of the Presiding Officer and other Assistants to see that the votes are cast with free and independent will and that only such persons are admitted to the polling station who have got the right to vote under the rules and that the persons against whom objections have been heard and upheld, leave the polling station immediately. It shall also be their duty to see that these rules and such directions as may be given by the Returning Officer thereunder are strictly observed in all respects.

37. Announcement of candidates.—The Presiding Officer shall exhibit the names of the candidates arranged in alphabetical order and shall also announce the names in such a manner that every voter fully understands and knows the candidate who are contesting the elections.

38. Casting of votes.—The Presiding Officer shall then announce name of the first candidate and ask those of the voters to raise their hands if they wanted to vote for the said candidate. He shall then count the raised hands and record number of votes polled in favour of the candidates and get entries signed by the candidate or his agent. He shall follow this procedure in case of every candidate in succession.

39. Returning officers to supervise conduct of election.—The elections shall be conducted under the general supervision of the Returning Officer.

40. Voting by officers on duty at the polling station.—A Presiding Officer or polling officer or any person who is on duty at the polling station at which he is not entitled to vote, may, if such officer or person as is entitled to vote at the election in connection with which he is employed, record his vote at the polling station. The name of the polling station at which he would otherwise have been entitled to vote shall be entered in counterfoil of the voting paper in lieu of his number in the voters' list. The voting paper of such person shall be enclosed in sealed packets on which the names of the polling station to which they pertain shall be inscribed on such packets shall be delivered to the Returning Officer with other articles mentioned in rule 42.

41. Deleted.

42. Sealing of Election Records etc.—The Presiding Officer shall, as soon as practicable after the close of casting of votes in the presence of any candidate or representative of the candidate, if in attendance, seal the result of the elections endorsing on each the description of its contents and seal with his own seal and the seal of any candidate or representative who may desire to fix his seal.

Sealed packets shall be forwarded by the Presiding Officer to the Returning Officer, or any other person appointed by the Returning Officer to take charge thereof till the final result of the election is compiled.

43. Counting of Votes.—On the day and at the time appointed for compilation of the result, the Returning Officer shall upon the election results received from Presiding Officers and shall compile consolidated result in presence of such candidates and their election agents as may be present.

44. Publication of Results of Election.—(a) The Returning Officer shall cause the name of the elected candidate to be posted at village patwarkhana or at the village panchayat office or at such other public place as may be appointed in that behalf by him and shall report such name or names immediately to the collector.

(b) The Collector shall publish the result of election by causing it to be posted at his office, at the village patwarkhana and at the gram panchayat office.

(c) The publication by the Collector shall be the final publication.

45. Record of Proceedings.—The Returning Officer shall keep the record of the proceedings of every election.

46. Custody of election Results.—After the compilation of the election result, voting record received from each polling station shall be retained for such period the Collector may direct.

47. Production and Inspection of Election Papers. While in the custody of Returning Officer, the packets of voting record shall not be inspected or produced except under the order of the Collector.

48. Delete.

49. Delete.

50. Multiple Elections.—Any person who is elected for more than one seat shall, by notice in writing signed by him and delivered to the Returning Officer within seven days from the date of the publication of the result of the election or if such publication has been

made on different dates within seven days from the latest of such date, resign all but one of the seats. In default of such resignation all the seats of such person in the Panchayat shall become vacant.

Rule No 4 (i).—The words 'District Medical Officer' should be substituted for the words 'District Medical Officer of Health'.

Rule No. 106.—For 'Sub-Divisional Judge'.—read 'Sub Divisional Officer' and for 'District Judge' read 'District Magistrate'.

Rule No. 107.—For rule 107, substitute 'The District Magistrate, after such enquiries as he deems suitable and 15 days after the holding of elections shall send report to the State Government which shall nominate five out of ten selected candidates by each Gram Sabha as Panches for the circle in which the Gram Sabha is situated and shall send information to the Gram Panchayat, District Magistrate, and the Sub-Divisional Judge:

Provided that the District Magistrate shall not delay the making of report to a date beyond one month of the holding of selection'.

By order,
M. M. CRISHNA,
Secretary.

Co-operative & Supplies Department

NOTIFICATION

Simla-4, the 11th March, 1954

No. CS-86-112/50.—Shri Khemi Ram, Educational Assistant Registrar, Co-operative Societies, Himachal Pradesh, Simla, should hold charge of Mandi District in addition to his own duties, pending further orders.

Shri Mast Ram, District Co-operative and Supplies Officer, Chamba, who is at present holding charge of Mandi District, should henceforth hand over charge to Shri Khemi Ram with immediate effect.

M. M. CRISHNA,
Secretary.

Forest Department

NOTIFICATIONS

Simla-4, the 12th March, 1954.

No. Ft-29-256/48.—In exercise of powers conferred on him by Section 41, 42, 45 and 51 of the Indian Forest Act, XVI of 1927, as applied to Himachal Pradesh, the Lieutenant Governor, Himachal Pradesh, is pleased to

issue the following addendum to rule 4 of Notification of even No. dated the 12th July, 1949, relating to rules to regulate the transit of timber on the Sutlej River and its tributaries in the Mahasu and Mandi Districts in Himachal Pradesh:—

Add at the end of rule 4, after the word 'operations':

"The Government may, however, exempt any person or persons from the payment of Registration fee".

SHIV SINGH,
Assistant Secretary.

शिमला-4, 16 मार्च, 1954

नम्बर एक टी-29-86/48.—श्री संत राम, पी.एफ.एस. (2), शिमला सर्कल, को 15 दिन का और उपार्जित अवकाश 12 फरवरी से 26 फरवरी तक का अनुदान किया गया।

सन्त राम,
चीफ कन्सर्वेटर।

Legislative Assembly

NOTIFICATIONS

Simla-4, the 17th March, 1954

No. LA-109-46/54.—As required under Rule 55 of the Rules of Procedure of Himachal Pradesh Legislative Assembly, the Hon'ble Speaker, Himachal Pradesh Legislative Assembly, has nominated the following as members of the Privilege Committee for the year 1954-55:—

1. Shri Krishan Chander (Chairman)
2. Shri Besar Ram
3. Shri Hardyal Singh
4. Shri Gopal Chander Negi
5. Shri Ram Dass
6. Shri Bala Nand Chauhan.

Simla-4, the 17th March, 1954

No. LA-109-47/54.—As required under Rule 204 of the Rules of Procedure of Himachal Pradesh Legislative Assembly, the Hon'ble Speaker, Himachal Pradesh Legislative Assembly, has nominated the following as members of the Petition Committee for the year 1954-55:—

1. Shri Tapinder Singh (Chairman)
2. Shri Hitendra Sen.
3. Shri Daulat Ram Gupta.
4. Shri Hari Singh.

Simla-4, the 17th March, 1954

No. LA-109-5252.—As required under Rule 7(1) of the Rules of Procedure of Himachal Pradesh Legislative Assembly, the Hon'ble

Speaker, Himachal Pradesh Legislative Assembly, has nominated the following as members of the Panel of Chairmen for the Budget Session 1954:—

1. Shri Vidya Dhar.
2. Shri Krishna Nand Swami.
3. Shri Tapinder Singh.
4. Shri Ram Dyal.

CHET RAM,
Secretary.

Local Self Government

NOTIFICATIONS

Simla-4, the 10th March, 1954

No. LR-62-10/54.—In supersession of Himachal Pradesh Government Notification No. 2 (1)-J-1-57/49, dated the 21st January, 1949, and in exercise of the powers conferred under Section 51 of the Punjab Small Towns Act, 1921, as applied to Himachal Pradesh, the Lieut. Governor is pleased to make the following "Small Town Election Rules", which will take effect from the date of this notification:—

Election rules framed under Section 51 of the Punjab Small Towns Act, 1921, as applied to Himachal Pradesh.

PART 1

PRELIMINARY

1. Short title and Commencement.—

(1) These rules may be called the Small Towns Election Rules, 1953, Himachal Pradesh.

(2) These shall come into force at once.

2. Interpretation.—(a) "Constituency" means a class or ward, for the representation of which a member or members is or are to be or as have been elected under these rules;

(b) "Gazetted Officer" means a Government servant belonging to any All-India specialist or Provincial Service or any other Government servant holding a post which may have been declared by competent authority to be a gazetted post;

(c) "Newly Constituent Committee" means a Committee of which members have been elected at the general election or appointed about the time of a general election, but have yet not taken their seats;

(d) "Oath of allegiance" means the oath or affirmations of allegiance prescribed by section 4 (a) of the Act;

(e) "Roll" means the roll of persons entitled to vote at an election under these rules;

(f) the "Act" means the Punjab Small Towns Act, 1921, as applied to Himachal Pradesh;

(g) "Treasury" means a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over.

PART 2

3. Scheduling of Wards.—Every small town shall be divided into 2 or more wards which shall be scheduled by notification under section 4 of the Act.

4. Persons entitled to be registered as voters.—Every person who is a citizen of India of sound mind, and not less than 21 years of age, who during the 12 months preceding the 1st day of December in the year, in which the register of voters is prepared has ordinarily resided or carried on business within the limits of small towns, shall be entitled to have his name registered as a voter in the small town:

Provided, if he is convicted of an offence under Chapter 9 of the Indian Penal Code or has been removed from the Committee in consequence of a report under paragraph 29 of these rules, his name, if on the voters' register, shall be removed therefrom and shall not be registered thereon for a period of 5 years from the date of the conviction or the report, as the case may be, or if not on the voters' register, shall not be so registered for a like period.

5. Disqualification from membership. Every person, who is qualified as a voter under these rules and is not less than 25 years of age, shall be eligible for election as a member of the Town Committee, but no one shall be so eligible who—

- (a) is under contract as regards work to be done for, or goods to be supplied to the Town Committee;
- (b) receives any remuneration out of the Town Fund for services rendered to the Town Committee;
- (c) has been prescribed from Government employment within 3 years from the date of the election;
- (d) has at any time within 5 years preceding the date of the election, been sentenced or subjected by any Court to imprisonment for a period exceeding one year or been ordered by any court to execute a bond for his good behaviour for a period exceeding one year;
- (e) is an undischarged insolvent or being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part;

(f) is a whole time salaried servant of Government: provided that the State Government may exempt any person or class of persons from the disqualifications contained in clauses (a) to (e).

6. Dates of holding General Elections.—A General Election shall be held for those seats on a Committee which are to be filled by election on such dates (after the 10th day of April till 10th December) as the Deputy Commissioner may determine.

7. Preparation of voters' registers.—The Deputy Commissioner shall, two months preceding a General Election, cause to be prepared in Form I appended to these Rules a separate register for each election ward of persons entitled to be registered as voters.

8. Voters' Registers to be opened to inspection.—(1) As soon as the registers have been prepared under rule 7, public notice of the fact shall be given together with an intimation that registers are opened to inspection at the Town Office.

(2) Any person whose name is included in the voters' register may at any time bring to the notice of the Deputy Commissioner by an unstamped application in writing, in any form, any entry in the voters' register relating to his name which is a clerical error and, the Deputy Commissioner may at any time make or cause to be made such correction in the register as he may deem necessary in respect of such entry.

9. Objections to voters' registers and disposal of the same.—(1) Any person whose name is not entered in the register of voters, and who claims to be registered as a voter, and any person, whose name is so entered and who objects to the entry of the name of any other person, may, within 30 days of the notice under Sub-rule (1) of Rule 8, give notice in writing personally or through his representative of his claim or his objection, as the case may be, to a Magistrate, Extra Assistant Commissioner or Tehsildar appointed by the Deputy Commissioner in this behalf;

(2) Every such claim or objection received on or before the due date shall be enquired into by a Magistrate, Extra Assistant Commissioner or Tehsildar, as the case may be, appointed by the Deputy Commissioner in this behalf, who after hearing the claimant or objector or his representative and after taking such evidence as he may consider necessary, may reject or admit such claim or objection.

(3) No appeal shall lie from the order passed by a Magistrate, Extra Assistant Commissioner or Tehsildar acting under Clause 2 of this Rule, but an order passed by such Magistrate, Extra Assistant Commissioner or

Tehsildar, shall be subject to revision by the Deputy Commissioner: provided that every application for revision must be submitted within 7 days of the date of the order to be revised

(4) The Deputy Commissioner shall, not later than 60 days after the issue of notice under Sub-rule (1) of Rule 8, cause the Registers of Voters to be corrected, if necessary, in accordance with any order passed under this rule.

10. Revision of Voters' Register.—(1) The registers of voters prepared under rule 7 and corrected, if necessary, under rule 9 (4) shall be deemed to be the registers of persons entitled to vote with effect from the 1st day of April (following) until the last day of March in the following year, and no person shall be entitled to vote whose name is not entered in the registers during that period.

(2) The registers of voters shall be subjected to such correction yearly, before the 1st day of April, as may be necessary to bring them up to date and shall, after such correction, be deemed to be the registers of persons entitled to vote with effect from that date until the last day of March in the following year. Claims to be registered as a voter or objections to the entry of any person's name in the register may be submitted at any time between the 1st and the 20th day of January in each year, and shall be dealt with as nearly as may be in the manner prescribed for claims or objections submitted under Rule 9(1).

11. Notice of Elections and nomination of candidates, objection to nominations and disposal of the same.—(1) The Deputy Commissioner shall give public notice of the intended election six weeks before preceding a general election and notice of the date so determined shall be published by being posted at the office of the Deputy Commissioner and at the office of the Small Town Committee and at such other places as the Deputy Commissioner may direct in such form and manner as may be prescribed inviting nomination of candidates for such election and specifying the place at which the nomination papers are to be delivered and calling on candidates to submit their nomination papers to a Magistrate or E.A.C. or Tehsildar, appointed in this behalf by the Deputy Commissioner: provided that the Government may, at any time, not less than ten days before the first of the date fixed for the holding of a general election or the first of the dates to which the general election has been postponed, direct that the elections shall be postponed to such other date as may be prescribed, not more than thirty days later than the dates so fixed and no proceedings taken prior to the date of such direction shall be invalid merely on account of such postponement.

(2) On or before the date appointed under sub-rule (1), each candidate shall either in person or by his proposer or seconder, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon deliver to the Officer appointed to receive nominations, a nomination paper completed on the prescribed form and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder.

(3) As soon as the nomination papers have been filed, Magistrate or E.A.C. or Tehsildar, as the case may be, shall publish a notice containing a list of candidates who have been nominated and intimating that the nomination papers may be scrutinized at his office on a date to be specified in the notice and that any person may on that date submit in writing his objections to the regularity of any nomination or the eligibility of any candidate.

(4) Every objection made under sub-rule 3 and received on or before the due date, shall be enquired into by a Magistrate, E.A.C. or Tehsildar, appointed by the Deputy Commissioner in this behalf, who after hearing the objector or his representative and after taking such evidence as he may consider necessary, shall pass orders allowing or disallowing the candidate objected to.

(5) Any person aggrieved by any order passed by a Magistrate or E.A.C. or Tehsildar under sub-rule (4) may within 7 days from the date of such order present in person or by counsel or by a duly authorised agent appointed by the authority in writing signed by him and verified by a Magistrate, Sub-Registrar of the Registration Department, Lambardar or a member of a Local Authority, to the Deputy Commissioner an application for revision of such order.

(6) When any application for revision of an order has been submitted to the Deputy Commissioner, the Deputy Commissioner after hearing the applicant or his counsel, confirm such order, or after sending by registered post notices to the candidates for election from the Constituency concerned intimating the date, not less than 7 days from the date of the notice on which such application will be heard, may on such date, after hearing any representation which the applicant and any other such candidate as may appear, may make, confirm such order or may set it aside and pass such other orders as he may deem fit. The order of the Deputy Commissioner shall be final.

12. List of valid nominations to be posted up.—A Magistrate or an E.A.C. or Tehsildar appointed by the Deputy Commissioner in this behalf shall forthwith prepare lists of valid nominations and cause them to be

posted up at some conspicuous place in his office and at the Small Town Office.

13. Unopposed candidate.—(1) If only one duly nominated candidate stands for election to any seat, he shall be deemed to have been duly elected a member.

(2) **Poll for contested seats.**—If more than only duly nominated candidates stand for election to any seat, a poll shall be taken on the day fixed for the election in respect of that seat.

(3) **Withdrawal of candidature.**—If at any time before the declaration of the polls, a duly nominated candidate intimates to a Magistrate or E.A.C. or Tehsildar appointed by the Deputy Commissioner in this behalf, in writing that he withdraws from his candidature, his name shall be removed from the list of candidates.

(4) **Procedure on receipt of no valid nomination.**—If no candidate is validly nominated for election to any seat, the Deputy Commissioner shall fix a further date by which candidates for election may be nominated, and shall proceed as nearly as may be in accordance with rule 11 with regard to the scrutiny of objections against such nominations.

14. Notice of time and place of election.—If under Rule 13 (2) a poll is to be taken in respect of any seat, a Magistrate or an E.A.C. or Tehsildar, appointed by the Deputy Commissioner in this behalf, shall give notice by beat of drum and by affixing a copy of the notice at some conspicuous place of his office and the small-town office at least one week before the date fixed for the election fixing the time or times and place or places at which the poll shall be taken. Such place shall be known as polling station.

15. Appointment of returning officer.—The Deputy Commissioner shall appoint one or more persons of the position of a gazetted officer or Naib Tehsildar or the Headmaster of the School, hereinafter termed the Returning Officers, to preside over the elections at each polling station and such Returning Officers shall be assisted by one or more persons as may be considered necessary.

16. Documents to be supplied to the Returning Officer.—The Returning Officer shall be supplied with a copy of the register of voters and with a copy of the list of valid nominations of candidates for election referred to in rule 12.

17. Voting to be by ballot in person not by proxy.—Voting shall be by ballot. Ballot papers shall be in form III appended to these rules, all votes shall be given in person at the polling station and no voting by proxy shall be allowed.

18. Questions to be put to voters and distribution of ballot papers.—At any time before a ballot paper is delivered to an elector the Returning Officer may of his own motion, if he has reasons to doubt the identity of the elector or his right to vote and shall, if so required by the candidate or his agent, put to the person all or any of the following questions, the answers to which shall be recorded in writing and the record signed by the Returning Officer and by the person who gives the answer:—

- (a) Are you the person registered in the register of voters as follows (reading the whole entry from the register)?
- (b) Have you already voted at the present election?
- (c) Such other questions as he may think fit or necessary.

(2) No person required to answer any of these questions shall be permitted to vote until he has answered it.

(3) Every person presenting himself to vote shall, if he be literate, sign his name opposite the corresponding entry in the copy of the register of voters supplied to the Returning Officer or if he be illiterate, shall affix his thumb mark thereto, in the presence of the Returning Officer.

(4) The Returning Officer shall then give to the voter a ballot paper or papers bearing an official mark.

19. Procedure for recording votes.—(1) The voter on receiving the ballot paper shall make a cross against the name of candidate for whom he votes; he shall put his ballot paper into a box provided for the purpose herein-after called the ballot box.

(2) If a voter is unable to read or write, the Returning Officer shall cause the vote of such voter to be marked on the ballot paper in the manner directed by such voter, and the ballot papers to be placed in the ballot box

20. Invalid ballot papers.—Any ballot paper which is not duly marked or on which votes are given to more than one candidate or on which any mark has been made, by which the vote may be identified, shall be invalid.

21. Procedure when more than one person attempts to vote as a registered voter.—If a person representing himself to be a particular voter named in voters' register applies for a ballot paper, after another person has voted as such voter the applicant shall, after duly answering such questions as the Returning Officer may ask, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper shall be of a colour differing from the other ballot paper, and, instead of being put into the ballot box, shall

be given to the Returning Officer and endorsed by him with name of the voter and his number in the voters' register and set aside in a separate packet, and shall not be counted by the Returning Officer. The signature or thumb impression of the voter shall not be made in voters register as provided in rule 17(3) but shall be made in a separate list containing a copy of the corresponding entry in the voters' register and bearing the heading "List of Tendered Votes".

22. Procedure for counting votes and recording result of the elections.—At the close of the poll, in the presence of persons nominated to assist the Returning Officers and of such candidates or their agents, if any, as may be in attendance, the Returning Officer shall—

- (a) open the ballot box and separate the ballot papers which they admit as valid from those which they deem invalid, endorsing on the latter the word "rejected" and the ground of rejection;
- (b) count the valid votes given to each candidate;
- (c) prepare and certify as correct a return, setting forth—
 - (i) the number of persons who presented themselves to vote;
 - (ii) the number of valid votes given for each candidate;
 - (iii) the name of candidate for whom most valid votes were given;
 - (iv) the number of ballot papers declared invalid; and
 - (v) the number of tendered ballot papers.
- (d) seal up in separate packets the tendered ballot papers, the ballot papers admitted as invalid, the ballot papers rejected as invalid, the copy of the voters' register referred to in rule 18 (3) and the list of tendered votes prescribed in rule 21 and record on each packet a description of its contents and the date of the election to which it relates together with the name of the class or name and number of the ward for a representation of which the election was held;
- (e) permit any candidate or his agent to take a copy of or an extract from the return prescribed in clause (c) of this rule.

23. Returns to be forwarded to and published by the Deputy Commissioner.—The Returning Officer shall then forward the return and the packet of ballot papers and lists referred to in rule 21 to the Deputy Commissioner who shall cause a copy of the return

prescribed in rule 22 (c) to be published for general information.

24. Retention of documents relating to the election by the Deputy Commissioner.—(1) The Deputy Commissioner shall retain for three months the packets of ballot papers and lists forwarded to him by the Returning Officer, and shall then, unless there appears to him to be good reasons for retaining them for a further period, cause them to be destroyed.

(2) While the packets are in the custody of the Deputy Commissioner they shall not be opened or their contents inspected except under his written order or under the order of a Court enquiring into an election petition under any rules that may be in force.

25. Procedure in event of a tie.—If it is found that two or more candidates have polled an equal number of valid votes and the addition of a vote would entitle any of these persons to be declared to be elected, the Returning Officer shall decide by lots.

26. Nomination of members elected.—The Deputy Commissioner shall in due course forward to the Government the names of the candidates duly elected with a view to their election being notified in the Gazette.

27. If any person is elected in more than one ward, he shall by notice in writing signed by him and delivered to the Deputy Commissioner within three days of publication of the election in the gazette those for which of those wards he shall serve. If he does not deliver such notice within the time prescribed, the Deputy Commissioner shall, within six days from the date of the publication of the election, declare for which ward he shall serve. Such choice or declaration, as the case may be, shall be conclusive. The provisions of rule 28 shall apply to the resulting vacancy or vacancies in the ward or wards not chosen or declared.

28. Procedure for filling casual vacancy.—When a vacancy occurs among the elected members of a Committee by death, resignation, or removal and a new member has to be elected in his place in accordance with section 8 of the Punjab Small Towns Act, 1921, as applied to Himachal Pradesh, such election shall be conducted in the manner prescribed in these rules for a general election, save that the date of the election shall be fixed as soon as may be convenient after the occurrence of the vacancy.

29. Penalties and jurisdiction to hear complaints.—(i) Any person who—

- (a) makes or alters any register, list or other documents in contravention of these rules or cause a false entry to be made in any such register, list or other document; or

- (b) willfully makes a false answer to any question put to him under rule 18 (i); or
- (c) obstructs any returning officer in the conduct of an election or in any way interferes with the examination and counting of ballot papers; or
- (d) defaces, injures, alters, disturbs or removes any copy, list, notice or other document posted anywhere under these rules, shall, on conviction by a Magistrate, be punishable with fine which may extend to fifty rupees.
- (ii) No court shall take cognizance of any offence under these rules except upon complaint made with the sanction in writing of the Deputy Commissioner.

30. Corrupt practices at elections.—(i) Every petition against the return of any candidate at a small town election on the ground of corrupt practice shall be made in writing signed by a person who was a candidate at the election or not less than five voters and the petition shall be presented to the Deputy Commissioner within one week after the day on which the result of the election was published in the State Gazette. The petition shall specify the acts which the objector or objectors allege to amount to corrupt practice as affecting the result of the election and which he or they are prepared to establish and shall on presentation be supported by a statement made on oath by each objector: provided that on sufficient cause being shown the limit of one week prescribed by this rule may be extended by the Deputy Commissioner.

(ii) The Deputy Commissioner may either reject the petition after recording his reason for doing so or make such enquiry thereon as he deems fit either himself or through any officer subordinate to him and not below the rank of a Magistrate of the second Class as he may appoint in this behalf. If he finds that any corrupt practice has been committed, he shall submit the case to the Government with a recommendation that action be taken under Section 6 of the Act.

31. Election of President and Vice-President.—(1) Voting for the office of the President or Vice-President of a Committee shall be by ballot (and the Chairman of the meeting at which the voting takes place shall not have a casting vote).

(2) Where the voting results in a tie and there is a candidate who has secured less votes than the candidates at the head of poll, such candidate shall be eliminated and the candidates at the head of the poll shall again be finally balloted for.

(3) Where the voting, whether preliminary or final, results in a tie and there is no candidate who has secured less votes than the

candidates at the head of the poll, the facts shall be reported to the Deputy Commissioner of the District. The Deputy Commissioner or any gazetted officer appointed by him shall decide between the candidates by drawing lots in the presence of all the members of the Committee who may attend after due notice to be present for the purpose.

32. Method of administering oath of allegiance.—The oath of allegiance prescribed in section 4-A of the Punjab Small Towns Act, 1921, as applied to Himachal Pradesh, shall be administered by the Deputy Commissioner or any other gazetted officer appointed by him in the case of the members of a new committee assuming office consequent on a general election and by the Chairman of the meeting in other cases.

FORM I REGISTER OF VOTERS

.....Small Town
Election Ward No.

Sl. No.	Name of voters	Father's name	Caste	Profession	Rule under which qualified	No. of votes to which entitled	Remarks
1	2	3	4	5	6	7	8

FORM II NOMINATION PAPER

.....Small Town

We, the undersigned, being voters duly registered in the register of voters belonging to class, hereby nominate as a candidate for election as member to represent the class said election ward No.

.....
.....
.....
.....
.....
.....
Signature of 5 or more nominations.

Dated this day of 19 ..

I, the undersigned, being a person duly qualified for election as a member to represent class election ward No. hereby assent to being nominated as a candidate for election.

..... Signature of candidate
Dated this day of 19 ..

FORM III BALLOT PAPER

— Small Town

Election of member for class
election ward No.

Sl. No.	Name and description of candidate	Column for cross (x) of Voter
1	A	
2	B	
3	C	
4	D	
5	E	

Note :—Here insert full name, description and address of candidate.

शिमला-4, 13 मार्च, 1954

* संख्या एल-100-15/84-3,—उपराज्यपाल, हिमाचल प्रदेश, हिमाचल प्रदेश राज्य की, चम्बाघाट क्षेत्र के विषय में, सोलन म्युनिसिपल कमिटी की अधिसूचना, संख्या एल० 100-15/48-3, दिनांक 24 सितम्बर, सन् 1951 को रद्द करने का आदेश करते हैं। यह आदेश इस अधिसूचना के प्रकाशन दिनांक से प्रभावित होगा।

आज्ञा से,
प्रेमराज महाजन,
सहायक सचिव।

Police Department

OFFICE ORDER

Simla-4, the 12th March, 1954

No. 3-13/54-1657.—The Lieutenant Governor, Himachal Pradesh, is pleased to promote Shri Krishan Chand, No. HP/8; Prosecuting Inspector Police of Mahasu District, to officiate as Deputy Supdt. of Police, with temporary headquarters at Simla-4, from the date he takes over against the sanctioned post of Deputy Suptd. of Police for Indo-Tibetan Border Police, in Mahasu District.

By order,
ASHWANI KUMAR,
Joint Secretary.

Revenue Department

NOTIFICATIONS

Simla-4, the 15th March, 1954

No. R-60-97/52.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh,

that land is required to be taken by Government at public expense for a public purpose, namely, for the construction of Chamba Banikhet Motor Road, it is hereby notified that the land in the locality described below is likely to be required for the said purpose.

2. This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification file an objection in writing before the Collector of Chamba District.

Specification

District: Chamba. Tehsil: Bhattiyat.

Village	Khasra No.	Area A. K. M.
Pattan	56/4 and 56/5	0 0 19
"	58/2	0 0 6
"	59/3	0 0 8
"	75/5	0 0 5
"	75/6	0 0 9
"	85/3, 86 4, 86/5	0 0 8
"	89/3	0 0 5
"	90/3	0 0 2
"	148/2	0 0 6
"	150/4, 150/5	0 0 7
"	174/3	0 0 1
"	174/5	0 0 2
"	297/1	0 0 5
"	298/4	0 0 2
"	298/3	0 0 4
Kohla	1/3, 2/1, 3/2	0 0 13
"	57/6	0 0 2
"	57/5	0 0 2
"	66/4	0 0 7
"	66/3	0 0 4
"	54/3, 55/6, 52/4	0 0 5
"	4/1	0 1 0
"	54/4, 55/4, 55/5,	0 0 7
"	55/7	
"	52/3, 52/5, 54/2,	0 0 14
"	55/2, 55/3, 55/8	
"	55/9,	
"	57/4	0 0 2
"	13/2, 13/3, 14/2,	0 1 4
"	15/2, 15/3,	
"	57/3	0 0 3
Goli	702, 705/2	0 0 4
"	535/2	0 0 2
"	521/2	0 0 7
"	527/4, 530/2	0 0 17

Village Khasra No. (Anea)	A	K	M
" 534/1, 550	0	0	7
" 543/2	0	0	3
" 547/3	0	0	8
" 703/3	0	0	1
" 707/4	0	0	2
" 705/3	0	0	2
" 707/5, 738/4	0	0	8
" 833/3	0	0	14
" 869/3, 869/2	0	0	10
Sair 188/2, 277/2	0	1	2
" 138/4, 273/2	0	1	3
" 139/2, 267/1	0	1	2
" 268/3, 273/3,	0	0	18
" 141/1, 141/3,			
" 277/1,			
" 257/3, 257/4	0	1	3
" 268/4	0	0	3
" 293/1	0	0	4
" 295/3	0	0	5
" 295/4	0	0	1
" 295/5	0	0	4
Malura 1/3	0	0	3
" 1/3	0	0	9
" 1/3	0	0	7
" 1/3	0	0	7
" 1/4	0	0	3
Aghara 1/4	0	0	14
" 4/3	0	0	9
Panjyara 130/3, 132/4	0	0	3
" 130/2, 132/2	0	0	6
Chhana 3/4	0	0	3
Chalyatha 12/3	0	0	5
Ahlnali 2/4	0	0	1
" 2/3	0	0	1
Kalur 17/2	0	0	9
" 18/3, 18/4	0	0	11
" 36	0	0	4
" 42/2	0	0	5
Tikkru 233/3, 236/3	0	0	6
"	0	0	3
" 231/3	0	0	11
Samara 12/4, 13/4, 55/4,	0	1	0
" 65/3.			
" 55/3, 55/5, 75/1,	0	2	18
" 79/1.			
Ludnu 1/3, 2/1, 3, 4/1	0	0	7
" 6/1	0	0	3
Jhamaura 129/2	0	0	2
" 131/2	0	0	4
Gandiyar 7/4, 7/5, 46/2,	0	2	14
" 71/2, 86/2, 90/2.			
" 45/3	0	0	4
Suri-di-Sair 65/1, 1/1	0	3	5
Total: ...	9	0	19

Simla-4, the 15th March, 1954

No. R-86-130/52.—Whereas it appears to the Lt.-Governor, Himachal Pradesh, that land is required to be taken by Government at public expense for a public purpose, namely, for the construction of Chamba-Tissa Motor Road, it is hereby notified that the land in the locality described below is likely to be required for the said purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lt.-Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that Section.

4. Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification file an objection in writing before the Collector of Chamba District.

Specification

District:	Chamba.	Tehsil:	Chamba.
Village	Khasra No.	Area	A. K. M.
Gali	49/2-50/2	0	3 8
Julakhri	18/1	0	1 9
Gali	28/1-28/3	0	1 3
Surara	9/1-9/2	0	0 15
Surara	4/2	0	0 3
Seuri-di-Sair	21/2	0	0 17
do	22/1	0	0 11
do	39/1, 40/1 & 40/2	0	1 5
do	7, 8 & 9	0	1 2

TOTAL ... 2 1 13

Simla-4, the 17th March, 1954

No. R-60-20/53.—This office Notification No. R-60-20/53, dated the 2nd March, 1953, is hereby cancelled.

Simla-4, the 17th March, 1954

No. R-60-20/53.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at public expense for a public purpose, namely, the construction of High School at Sihunta, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid Section, the Lieutenant Governor, Himachal Pradesh, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that Section.

4. Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the

publication of this notification file an objection in writing before the Collector of Chamba District.

Specification

District: Chamba. *Tehsil:* Bhattiyat.

Village: Sihunta.

<i>Khasra No.</i>	<i>Area</i>		
	<i>Bis.</i>	<i>Bi.</i>	<i>B.</i>
6	0	7	0
7	0	7	0
8	0	8	0
9	0	4	0
10	0	2	0
11	0	15	0
13	0	14	0
14	0	12	0
Total ...	3	9	0

By order,
BASANT RAI,
Assistant Secretary

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि।

शून्य

भाग 3—अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इनकम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

शून्य

भाग 4—स्थानीय स्वायत्त शासन : म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

शून्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

शून्य

भाग 6—भारतीय राजपत्र इत्यादि में पुनः प्रकाशन

शून्य

अनुपूरक

शून्य